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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicant asserts that the present invention is new, non-obvious and useful. Favorable reconsideration and allowance of the application is respectfully requested.

Status of Claims

Claims 43-45, 47, 49-52 and 56-66 are pending in the application. The Examiner stated that claims 61-66 that were submitted on February 4, 2009 relate to a non-elected invention and are withdrawn from consideration. Claims 43-45, 47, 49-52 and 56-60 have been finally rejected.

Claim 43 have been amended, and new claims 67-68 have been added herein. Applicant asserts that no new matter has been added by the claim amendments and additions.

CLAIM REJECTIONS

35 U.S.C. § 103 Rejections

In the final Office Action, the Examiner rejected claims 43-45, 49-53 and 55 under 35 U.S.C. § 103(a), as being unpatentable over Saito et al. (U.S. Patent No. 6,184,922 B1) in view of Fukahara et al. (U.S. Patent No. 6,501,862), Honda et al. (U.S. Patent Application Publication No. 2004/0225223) and Kim et al. (U.S. Patent No. 6,314,211), and further in view of Yomeyama (U.S. Patent No. 6,972,791), Terada (U.S. Patent No. 6,124,888), Nishino (U.S. Patent No. 7,209,170) and Hattori et al. (U.S. Patent No. 5,032,913).

The Examiner states that Saito et al. teach a system for reconstructing an image but do not disclose that the selected image data has been compressed using the claimed dilation pattern and that the reconstruction process involves interpolation but that Yomeyama, Terada, Nishino and Hattori et al. all teach pixel thinning that make the image less concentrated, and that it would have been obvious to choose from a finite number of

predictable solutions such that a same amount of green and blue pixels are selected and such that twice that amount of red pixels are selected.

Applicants have amended independent claim 43 to specify that the dilution pattern used to select the selected image data "includes averaging a selected pixel with a neighboring pixel of the same color" prior to transmission from the in vivo device. This amendment finds support in the specification as filed at page 12, line 28 - page 13, line 8. In view of this amendment, Applicants respectfully traverse the rejection.

Applicants assert that Saito et al., Fukuhara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. do not teach or suggest, either alone or in combination, a system for reconstructing an image as recited in amended independent claim 43, wherein the dilution pattern used to compress the selected image data "includes averaging a selected pixel with a neighboring pixel of the same color" prior to transmission from the in vivo device. None of Saito et al., Fukuhara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. teaches or suggests any image reconstruction system wherein a controller receives selected image data that has been compressed using such a dilution pattern as recited, the dilution pattern including averaging a selected pixel with a neighboring pixel of the same color. None of the cited references even discloses averaging pixels with neighboring pixels in this manner. Applicants therefore assert that independent claim 43 as amended is allowable over Saito et al., Fukuhara et al., Honda, Kim et al., Yomeyama, Terada, Nishino and Hattori et al.

As discussed above, independent claim 43 as amended is patentable over Saito et al., Fukuhara et al., Honda, Kim et al., Yomeyama, Terada, Nishino and Hattori et al. Each of claims 44, 45, 49-52 and 58-60 is dependent on amended independent claim 43 and includes all the limitations of this claim. Therefore, dependent claims 44, 45, 49-52 and 58-60 are likewise allowable.

In view of the above, Applicants respectfully request that the rejection of claims 43-45, 49-52 and 58-60 under 35 U.S.C. § 103(a) over Saito et al., Fukuhara et al., Honda, Kim et al., Yomeyama, Terada, Nishino and Hattori et al. be withdrawn.

Applicants have also added new dependent claim 66 to recite that the averaging is performed by the imager of the in vivo device and new dependent 67 to recite that the "averaging mode" is activated or deactivated by a control bit of the in vivo device. Applicants note that new claims 66 and 67 are dependent on amended independent claim 43 and are likewise allowable.

In the final Office Action, the Examiner rejected claim 47 under 35 U.S.C. § 103(a), as being unpatentable over Saito et al. in view of Fukahara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. and in further view of He et al. (U.S. Patent No. 6,600,517).

Claim 47, which depends from amended independent claim 43, recites that the controller is to post-process by color suppression. Amended independent claim 43 is allowable over the combination of Saito et al., Fukuhara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. in view of the above discussion, and dependent claim 47 includes all the limitations of amended independent claim 43. He et al. do not remedy the deficiencies of Saito et al., Fukuhara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. such that dependent claim 47 is also allowable over the combination of Saito et al., Fukuhara et al., Honda et al. and Kim et al. in further view of He et al.

In the final Office Action, the Examiner rejected claims 56-57 under 35 U.S.C. § 103(a), as being unpatentable over Saito et al. in view of Fukahara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. and in further view of Saitou (U.S. Patent No. 4,834,070).

Claims 56-57, which depend from amended independent claim 43, recites that the controller is to post-process by color suppression. Amended independent claim 43 is allowable over the combination of Saito et al., Fukuhara et al., Honda et al., Kim et al., Yomeyama, Terada, Nishino and Hattori et al. in view of the above discussion, and

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dependent claims 56-57 include all the limitations of amended independent claim 43. Saitou does not remedy the deficiencies of Saito et al., Fukuhara et al., Honda et al. and Kim et al., such that dependent claims 56-57 are allowable over the combination of Saito et al., Fukuhara et al., Honda et al. and Kim et al. in further view of Saitou.

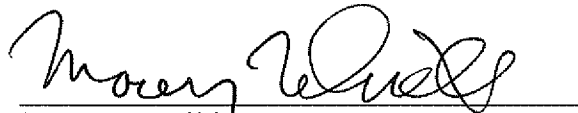
Conclusion

In view of the foregoing amendments and remarks, pending claims 43-45, 47 and 49-66 are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any questions or comments as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due associated with this paper. However, if any such additional fees are due, please charge such fees to deposit account No. 50-3355.

Respectfully submitted,



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